



Department of Labor Final Rule

Consumer Information

What is this about?

You may know about our country's rules on work.

- People must be paid at least a \$7.25 per hour. This is called the minimum wage.
- People can only work 40 hours per week.
- People who work more than 40 hours per week have to be paid time and a half for each hour worked over 40.

What is changing?

The United States Department of Labor (DOL) has changed the rules for people who need someone to help them in their homes and communities.

It used to be that families and companies that hired someone to help them in their home did not have to follow these rules.

Now they do.

For more information, go to <http://www.dol.gov/whd/homecare/> and click on “**For Individuals and Families.**”

When do the new rules start?

The new rules start on January 1, 2015.

What does this mean for me?

If KanCare pays for your personal care attendant (PCA), supportive home care (SHC) worker, or personal attendant services (PAS), these rules will also apply to you.

- If your worker is provided by an organization or company, then the company that hires, fires and provides your PCA must follow these rules.
- If you self-direct your services (you are the one who hires, fires and trains your PCA/SHC) and an organization or company helps you employ your workers, you will need to follow these rules.

What will change?

Things are likely to change for your services. The US Department of Labor Rule may force the state to make changes to the services you receive, such as:

1. All of your workers, which may include guardians, family and friends, would be limited to only 40 hours per week each.
2. You may need to have or hire more workers to meet your needs.
3. Sleep cycle support may be changed, significantly limited or eliminated.

What can I do?

Kansas is trying to change this rule so that you can keep your support.

Our key goals are to ask the federal government:

- To exempt Medicaid programs that support self-direction from the rule
- To delay these rules and not start them on January 1, 2015

Here's what you can do to help.

**Please help us by contacting the U.S. Department of Labor at
1-866-487-9243 or go online to
<http://webapps.dol.gov/contactus/contactus.asp?agency=WHD>
and ask them to:**

- Exempt Kansas' self-directing HCBS consumers from the new rules.
- Delay the Final Rule from going into effect in order to help Kansas effect an orderly transition to meet the requirements of the administrative interpretations of the new rule and the law.

For Public Comments on the possible changes:

The Kansas Department for Aging and Disability Services (KDADS) also wants to help.

1. You can call our offices at 785-368-4986 if you have questions.
2. You can email us at hcbs-ks@kdads.ks.gov
3. You write a letter to KDADS, 503 S. Kansas Ave, Topeka, KS 66603, Attn: DOL Rule.

For More Information

Visit the KDADS website at www.KDADS.ks.gov.